

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Daniel Frank
DOCKET NO.: 06-28939.001-R-1
PARCEL NO.: 14-33-202-003-0000
TOWNSHIP: North Chicago

The parties of record before the Property Tax Appeal Board are Daniel Frank, the appellant, by attorney Joanne P. Elliott of Elliott and Associates Attorneys, P.C., Des Plaines, Illinois; and the Cook County Board of Review.

The subject property is a 123-year old, three-story style dwelling of masonry construction containing 2,915 square feet of living area with a full, finished basement, central air conditioning, three fireplaces, and a two-car garage.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted for consideration six comparable properties described as two-story or three-story masonry or frame and masonry dwellings that range in age from 108 to 127 years old. All of the comparables have been assigned the same neighborhood code as the subject property. Four of the comparables have full, unfinished basements; one has a full, finished basement; and one has a slab foundation. Each comparable has one or two fireplaces; five comparables have central air conditioning; and four have garages. The comparables contain from 2,682 to 3,320 square feet of living area and have improvement assessments ranging from \$16.90 to \$40.52 per square foot. The subject's improvement assessment is \$44.32 per square foot. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board of review presented descriptions and assessment information on four comparable properties consisting of two-story or three-story masonry dwellings that range in age from 114 to

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

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|--------|----|---------|
| LAND: | \$ | 18,795 |
| IMPR.: | \$ | 129,204 |
| TOTAL: | \$ | 147,999 |

Subject only to the State multiplier as applicable.

PTAB/BRW/Jul.08/06-28939

128 years old. One of the comparables is located in the same block as the subject property, and the other three, based on their parcel index numbers, are located in the same general area as the subject. Two comparables have full, finished basements, and two have slab foundations. Two comparables have central air conditioning; three have from one to three fireplaces; and one has a two-car garage. The dwellings contain from 2,340 to 2,693 square feet of living area and have improvement assessments ranging from \$46.26 to \$50.71 per square foot. The board of review also provided information disclosing the subject property sold in June 2004 for a price of \$1,480,000. The board of review further indicated that its comparables numbered one and four sold in August 2004 and July 2004 for prices of \$1,590,000 and \$1,260,000, respectively. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has not overcome this burden.

Both parties presented assessment data on a total of ten equity comparables. The Board finds that the comparables numbered four and six by the appellant and the comparable numbered one by the board of review were the most similar to the subject in age, location, design, exterior construction, size, foundation, and physical features. These comparables had improvement assessments ranging from \$37.95 to \$50.71 per square foot of living area. The subject's improvement assessment of \$44.32 per square foot of living area falls within this range. The Board finds of further significance the fact that the subject sold in June 2004 for a price of \$1,480,000. Two of the board of review's comparables sold in July and August 2004 for prices of \$1,260,000 and \$1,590,000. The Board finds these comparables had relatively similar market values to the subject property. After comparing the subject's total assessment of \$147,999 to the total assessments of the comparables that sold at a similar period of time, of \$147,615 and \$158,999, the Board finds the subject is being proportionately assessed in relation to these properties. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is supported and a reduction in the subject's assessment is not warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: August 14, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.